

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Butte)

THE PEOPLE,

Plaintiff and Respondent,

v.

NATHAN RICHARD PEARCE,

Defendant and Appellant.

C038379

(Super. Ct. Nos. CM013461
& CM014428)

On September 6, 2000, defendant Nathan Richard Pearce pleaded no contest to one count of receiving stolen property (Pen. Code, § 496) in each of case Nos. CM013461 and CM014428. On October 11, imposition of judgment was suspended and defendant was placed on probation for three years on various terms and conditions, including payment of "fines, penalties, assessments, [and] restitution [to be] paid in an amount and manner as determined by the court compliance unit."

On November 14, 2000, a petition was filed alleging defendant violated terms of his probation by violating Health and Safety Code sections 11377, subdivision (a), and 11550, subdivision (a). On November 22, defendant admitted the

allegations and probation was reinstated conditioned upon, inter alia, entry into a substance abuse program. On January 18, 2001, at defendant's request, the court modified the residential treatment requirement to one year of treatment at The Well.

On February 23, 2001, defendant was again charged with violation of probation in that he unlawfully took a vehicle (Veh. Code, § 10851, subd. (a)) and he terminated his participation in The Well program. On March 21, defendant admitted the second allegation. On April 25, he was sentenced to state prison on both cases for a total of two years, eight months; restitution fines totaling \$500 were imposed in each case in accordance with Penal Code sections 1202.4 and 1202.45. Criminal proceedings were suspended and defendant was committed to the Department of Corrections for delivery to the California Rehabilitation Center.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

The judgment is affirmed.

BLEASE , Acting P. J.

We concur:

MORRISON , J.

HULL , J.